

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

AQUIL YOUNG,

Plaintiff,

v.

**SOUTH BEACH BAR
AND GRILL CORP., *et al.*,**

Defendants.

Civ. No. 23-697 (KSH) (JSA)

ORDER

THIS MATTER having come before the Court on February 16, 2024, for a Telephonic Status Conference and to address Defendants' motion to set aside default and reinstate their Answer (ECF No. 44), Plaintiff's request for fees and costs incurred as a result of Defendants' default and continued failure to appear (ECF No. 45), and Plaintiff's request for sanctions for failure to comply with court orders (ECF No 49); and the Court having carefully considered the parties' submissions; and for the reasons set forth on the record, which are incorporated herein at length; and for good cause shown;

IT IS on this 16th day of February 2024,

ORDERED THAT:

1. Defendant's motion to set aside default and reinstate their Answer (ECF No. 44) is
GRANTED.
2. Plaintiff's motion for default judgment (ECF No. 38) is **DISMISSED AS MOOT.**

3. Plaintiff's counsel's application for fees and costs (ECF No. 45) is **DENIED**.
4. Plaintiff's counsel's request for sanctions including payment of fees and costs (ECF No. 49) is **DENIED**.
5. The fact discovery deadline is extended through and including **April 30, 2024**.
6. Plaintiff's counsel shall serve a courtesy copy of the previously served written discovery requests on or before close of business today. Defendants shall provide fully responsive answers and produce documents on or before **March 1, 2024**.
7. On or before **April 17, 2024**, the parties shall submit a joint letter, addressing the status of completing fact discovery and any settlement negotiations.
8. As counsel for all parties confirmed during the February 16th conference, they do not intend to engage in any expert discovery.
9. A Telephone Status Conference is scheduled for **April 23, 2024, at 9:30 a.m.** The Court will provide the parties with the conference call information in advance.
10. Any unresolved discovery disputes (other than those that arise during depositions) must be brought before the Court not later than thirty (30) days before the fact discovery deadline. The Court will not entertain applications concerning discovery matters, informally or otherwise, after this date. If an unresolved dispute arises at a deposition, then the parties must contact the Chambers of the Undersigned for assistance during the deposition. Failure to contact Chambers for intervention before adjourning that deposition may constitute waiver of the right to seek relief from the Court.
11. All other deadlines and provisions set forth in this Court's prior Pretrial Scheduling Order entered on April 5, 2023 (ECF No. 11) shall remain in full forth and effect.

**12. FAILURE TO FOLLOW THIS ORDER WILL RESULT IN SANCTIONS
PURSUANT TO Fed. R. Civ. P. 16(f) and 37.**

Dated: February 16, 2024

s/ Jessica S. Allen
HON. JESSICA S. ALLEN
United States Magistrate Judge

Cc: Hon. Katharine S. Hayden, U.S.D.J.